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19471947  
Attorney Docket No. \_\_\_\_\_

Page 1

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**  
**English Language Declaration**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: TREATMENT OF

NEUROMUSCULAR DISORDERS AND CONDITIONS WITH DIFFERENT BOTULINUM SEROTYPE

the specification of which

(check one)

is attached hereto.

was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

**Priority Claimed**

| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Yes | No |
|----------|-----------|------------------------|--------------------------|-------------------------------------|-----|----|
| _____    | _____     | _____                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Yes | No |
| _____    | _____     | _____                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Yes | No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| (Application Serial No.) | (Filing Date) | (Status)<br>(patented, pending, abandoned) |
|--------------------------|---------------|--|
| _____                    | _____         | (Status)<br>(patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Robert J. Baran  
Reg. No. 25,806

Martin A. Voet  
Reg. No. 25,802

Walter A. Hackler  
Registration No. 27,792

Howard R. Lambert  
Reg. No. 27,206

Send Correspondence to:  
Walter A. Hackler  
2372 S.E. Bristol, Suite B  
Santa Ana Heights, CA 92707  
U.S.A.

Direct Telephone Calls to:  
Walter A. Hackler  
(714) 851-5010

Full Name of Sole or First Inventor:

K. Roger Aoki

Date Signed:

Inventor's Signature:

Residence (City, State and/or Country):

25472 Earhart Road, Laguna Hill, CA 92653

Citizenship:

USA

Post Office Address (Street, City, State, Zip Code, Country):

Full Name of Second Joint Inventor (if any):

Michael W. Grayston

Date Signed:

Second Inventor's Signature:

Residence (City, State and/or Country):

12 Mandarin, Irvine, CA 92714

Citizenship:

USA

Post Office Address (Street, City, State, Zip Code, Country):

Full Name of Third Joint Inventor (if any):

Steven R. Carlson

Date Signed:

Third Inventor's Signature:

Residence (City, State and/or Country):

29991 Happy Sparrow Lane, Laguna Niguel, CA 92677

Citizenship:

USA

Post Office Address (Street, City, State, Zip Code, Country):

|  |   |
|--|---|
| Full Name of Fourth Joint Inventor (if any):<br>Judith M. Leon   |   |
| Fourth Inventor's Signature:   | Date Signed:<br><input checked="" type="checkbox"/>     |
| Residence (City, State and/or Country):<br>29992 Running Deer Lane, Laguna Niguel, CA 92677              |   |
| Citizenship:<br>USA  |   |
| Post Office Address (Street, City, State, Zip Code, Country):<br><br><input checked="" type="checkbox"/> |   |
| Full Name of Fifth Joint Inventor (if any):<br><br><input checked="" type="checkbox"/>                   |   |
| Fifth Inventor's Signature:  | Date Signed:<br><br><input checked="" type="checkbox"/> |
| Residence (City, State and/or Country):<br><br><input checked="" type="checkbox"/>                       |   |
| Citizenship:<br><br><input checked="" type="checkbox"/>  |   |
| Post Office Address (Street, City, State, Zip Code, Country):<br><br><input checked="" type="checkbox"/> |   |
| Full Name of Sixth Joint Inventor (if any):<br><br><input checked="" type="checkbox"/>                   |   |
| Sixth Inventor's Signature:  | Date Signed:<br><br><input checked="" type="checkbox"/> |
| Residence (City, State and/or Country):<br><br><input checked="" type="checkbox"/>                       |   |
| Citizenship:<br><br><input checked="" type="checkbox"/>  |   |
| Post Office Address (Street, City, State, Zip Code, Country):<br><br><input checked="" type="checkbox"/> |   |
| Full Name of Seventh Joint Inventor (if any):<br><br><input checked="" type="checkbox"/>                 |   |
| Seventh Inventor's Signature:  | Date Signed:<br><br><input checked="" type="checkbox"/> |
| Residence (City, State and/or Country):<br><br><input checked="" type="checkbox"/>                       |   |
| Citizenship:<br><br><input checked="" type="checkbox"/>  |   |
| Post Office Address (Street, City, State, Zip Code, Country):<br><br><input checked="" type="checkbox"/> |   |

D-2935

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT

In the application of:

AOKI et al

) Group Art Unit: 1947

Serial No. 08/075,048

) Examiner: Krikorian, J.

Filed: June 10, 1993

For: TREATMENT OF NEUROMUSCULAR  
DISORDERS AND CONDITIONS WITH  
DIFFERENT BOTULINUM SEROTYPE

ASSOCIATE POWER OF ATTORNEY

Commissioner for Patents  
Washington, DC 20231

Sir:

In the matter of the above-identified application, I hereby  
appoint as associate attorneys:

Stephen Donovan, Reg. No. 33,433; Carlos A. Fisher, Reg. No. 36,510 and Frank J. Uva, Reg. No. 25,812

to prosecute said application, to make alterations and amendments  
therein, and to transact all business in the Patent and Trademark  
Office connected therewith.

D-2935

Please direct all correspondence and telephone calls to:

Frank J. Uxa  
 4 Venture, Suite 300  
 Irvine, CA 92618  
 Telephone: (949) 450-1750  
 Facsimile: (949) 450-1764

Signed this 24<sup>th</sup> day of January, 2001.

Robert J. Baran

Robert J. Baran, Reg. No. 25,806

Allergan  
 PO Box 19534  
 Irvine, CA 92623-9534

## ASSIGNMENT

Jel

WHEREAS, WE, K. Roger Aoki, Michael W. Grayston,  
Steven R. Carlson, and Judith M. Leon, all  
 citizens of the United States of America, residing at  
25472 Earhart Road, Laguna Hills, CA 92653; 12 Mandarin, Irvine, CA  
92714; 29991 Happy Sparrow Lane, Laguna Niguel, CA 92677  
and 29992 Running Deer Lane, Laguna Niguel, CA 92677  
 respectively, have invented certain new and useful improvements in  
TREATMENT OF NEUROMUSCULAR DISORDERS AND CONDITIONS WITH DIFFERENT  
BOTULINUM SEROTYPE,  
 for which we have executed an application for Letters Patent of the  
 United States on \_\_\_\_\_

WHEREAS, ALLERGAN, INC., a Delaware Corporation, 2525 Dupont Dr.  
Irvine, California 92715,  
 is desirous of obtaining the entire right, title and interest in the  
 said improvements and the said application: TREATMENT OF NEUROMUSCULAR  
DISORDERS AND CONDITIONS WITH DIFFERENT BOTULINUM SEROTYPE.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00)  
 to each of us in hand paid, and other good and valuable consideration,  
 the receipt of which is hereby acknowledged, we, the said inventors,  
 do hereby acknowledge that we have sold, assigned, transferred and set  
 over, and by these presents do hereby severally and jointly, sell,  
 assign, transfer and set over, unto the said ALLERGAN, INC.

its successors, legal representatives and assigns, our respective  
 rights, titles and interests, and the entire right, title, and interest  
 throughout the world in, to and under the said improvements, and the  
 said application and all divisions, renewals and continuations thereof,  
 and all Letters Patent of the United States which may be granted there  
 on and all reissues and extensions thereof, and all rights of priority  
 under International Conventions and applications for Letters Patent  
 which may hereafter be filed for said improvements in any country or  
 countries foreign to the United States, and all Letters Patent which  
 may be granted for said improvements in any country or countries  
 foreign to the United States and all extensions, renewals and reissues  
 thereof; and we hereby authorize and request the Commissioner of  
 Patents of the United States, and any Official of any country or coun  
 tries foreign to the United States, whose duty it is to issue patents  
 on applications as aforesaid, to issue all Letters Patent for said  
 improvements to the said ALLERGAN, INC.

its successors, legal representatives and assigns, in accordance  
 with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the  
 said ALLERGAN, INC.

its successors, legal representatives and assigns, any facts  
 known to us respecting said improvements, and testify in any legal  
 proceeding, sign all lawful papers, execute all divisional continuing  
 and reissue applications, make all rightful oaths and generally do  
 everything possible to aid the said ALLERGAN, INC.

Jel

## ASSIGNMENT - Page 2 of 2

its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22<sup>nd</sup> day of September, 1993. 

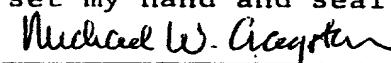
State of \_\_\_\_\_

K. Roger Aoki  
ss.:

County of \_\_\_\_\_

On this 22 day of September, 1993, before me a Notary Public in and for the State and County aforesaid, personally appeared known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

SEAL

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 28 day of September, 1993. 

State of \_\_\_\_\_

Michael W. Grayston  
ss.:

County of \_\_\_\_\_

On this 28 day of September, 1993, before me a Notary Public in and for the State and County aforesaid, personally appeared known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

SEAL

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22<sup>nd</sup> day of September, 1993. 

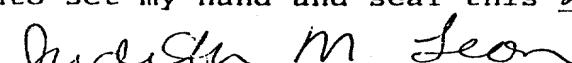
State of \_\_\_\_\_

Steven R. Carlson  
ss.:

County of \_\_\_\_\_

On this 22 day of September, 1993, before me a Notary Public in and for the State and County aforesaid, personally appeared known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

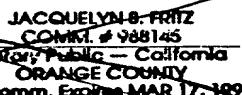
SEAL

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22<sup>nd</sup> day of September, 1993. 

State of \_\_\_\_\_

Judith M. Leon  
ss.:

County of \_\_\_\_\_



On this 22 day of September, 1993, before me a Notary Public in and for the State and County aforesaid, personally appeared known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

SEAL

